

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:

Hoyt Demis
2101 Shady Oak Lane
Archdale, NC 27263

Lori Couch Demis
2101 Shady Oak Lane
Archdale, NC 27263

SS# xxx-xx-4890SS# xxx-xx-3765

Debtor(s)

Case No. _____

Chapter 13

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on November 5, 2014 .

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the proof of claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

I. Plan Payments

The plan proposes a payment of **\$2,706.00** per month for a period of **60** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

II. Administrative Costs**1. Attorney fees.**

- ☒ The attorney for the Debtor will be paid the base fee of \$3,700.00. The Attorney has received \$ **656.00** from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.
- ☐ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

2. Trustee costs. The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses**III. Priority Claims**

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

1. Domestic Support Obligations ("DSO")

- a. ☒ None
- b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

- c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.
- d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

2. Other priority claims to be paid by Trustee

Creditor	Estimated Priority Claim
Employment Security Comm.	\$0.00
Guilford County Tax Dept.	\$0.00
Internal Revenue Service	\$22,443.20
Internal Revenue Service	\$64,955.50
North Carolina Department of Revenue	\$15,188.92
Randolph County Tax Dept.	\$0.00

IV. Secured Claims**1. Real Property Secured Claims**a. ☐ None

b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
First Bank Corp	house and lot located at 2101 Shady Oak Lane Archdale, NC 27263 (90% tax value)	R	Y	\$843.00	\$0.00	D
Suntrust Equity	house and lot located at 2101 Shady Oak Lane Archdale, NC 27263 (90% tax value)	R	Y	\$26.00	\$0.00	D

2. Personal Property Secured Claimsa. ☐ None

b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate
Ally Financial	2015 Mazda Mazda3 (90% NADA)	\$21,782.46	Y			\$355.27	5.39%

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).

3. Collateral to be Released

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
Honda Finance	2014 Honda Accord, Sport, 4D, 15k miles (90% NADA)
Wells Fargo Auto	2004 Ford F-150, 114k miles (driven by son) (90% NADA)

4. Liens to be Avoided

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
-NONE-	

V. Co-Debtor Claims

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
-NONE-			

VI. General Unsecured Claims Not Separately Classified

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is to be determined %.

VII. Executory Contracts/Leases

- a. ☒ None
- b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

- c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
-NONE-						

VIII. Special Provisions

- a. ☒ None
- b. Other classes of unsecured claims and treatment
- c. Other Special Terms

Date: November 5, 2014

/s/ James L. Tennant

James L. Tennant 6405

Attorney for the Debtor

Address: **P.O. Box 4585
Archdale, NC 27263**

Telephone: **336-431-9155**

State Bar No. **6405**

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:)	
)	
Hoyt Demis)	NOTICE TO CREDITORS
Lori Couch Demis)	AND
)	PROPOSED PLAN
SS# <u>xxx-xx-4890</u>)	
SS# <u>xxx-xx-3765</u>)	Case No. _____
Debtor(s))	

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

Reid Wilcox
Clerk of Court
U.S. Bankruptcy Court
Middle District of North Carolina
P.O. Box 26100
Greensboro, NC 27402

Anita Jo Kinlaw Troxler
Chapter 13 Trustee
Greensboro Division
Post Office Box 1720
Greensboro, NC 27402-1720

Ally Bank
c/o Pamela Keenan
PO Box 19766
Raleigh, NC 27619

Barclays Bank
125 Southwest St
Wilmington, DE 19801

Beeson Hardware
201 Sheffield St
High Point, NC 27260

Bill Me Later
PO Box 105658
Atlanta, GA 30348-5658

Builders Premier Insurance Company
PO Box 150005
Raleigh, NC 27624

Credit Bureau
P.O. Box 26140
Greensboro, NC 27402

Discover
PO Box 6103
Carol Stream, IL 60197-6103

Discover Financial Services
PO Box 15316
Wilmington, DE 19850

Employment Security Comm.
P.O. Box 26504
Raleigh, NC 27611

First Bank
PO Box 615
Troy, NC 27371

First Bank Corp
PO Box 615
Troy, NC 27371

Foxcroft HOA
c/o Presidia
PO Box 7948
Greensboro, NC 27417

Foxcroft HOA
c/o Presidia
PO Box 7948
Greensboro, NC 27417

Foxcroft HOA
c/o Presidia
PO Box 7948
Greensboro, NC 27417

Guilford County Tax Dept.
P.O. Box 3427
Greensboro, NC 27402

Hartford Fire Insurance Company
PO Box 2907
Hartford, CT 06104

Honda Finance
PO Box 49070
Charlotte, NC 28277

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Interstate Credit Collections
711 Coliseum PLaza Ct
Winston Salem, NC 27106

Jeff & Leanne Webster
306 Trollinger Street
Randleman, NC 27317

Macy's
P.O. Box 183083
Columbus, OH 43218-3083

Majestic Floor Covering, LLC
4675 Us Highway 64 East Building 1
Franklinville, NC 27248

Majestic Floor Covering, LLC
c/o Carruthers & Roth
PO Box 540
Greensboro, NC 27402

Mendi Busick
3309 Longview Drive
Archdale, NC 27263

North Carolina Department of Revenue
P.O. Box 1168
Raleigh, NC 27602

Northstate
PO Box 612
High Point, NC 27261

Penn National Insurance
PO Box 13746
Philadelphia, PA 19101

PPG
317 N. Main Street
Pueblo, CO 81003

Randolph County Tax Dept.
725 McDowell Road
Asheboro, NC 27203

Santander Consumer USA
P.O. Box 560284
Dallas, TX 75356-0284

Seterus, Inc
P.O. Box 54420
Los Angeles, CA 90057-0420

Seterus, Inc
P.O. Box 54420
Los Angeles, CA 90057-0420

Sharrard & McGee
PO Box 5869
High Point, NC 27262

Spider, Div. of Safeworks, LLC
c/o The Anderson Group
3001 19th Street
Metairie, LA 70002-4906

Suntrust Bank
PO Box 4997
Orlando, FL 32802

Suntrust Equity
PO Box 791274
Baltimore, MD 21279

Wells Fargo Auto
P.O. Box 29704
Phoenix, AZ 85038

Date: November 5, 2014

/s/ James L. Tennant
James L. Tennant 6405